

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ZO SKIN HEALTH, INC., a California
corporation,

Plaintiff,

vs.

DAVID OSTAD, an individual, and JOHN
DOE, an individual,

Defendants.

No. 8:20-cv-85

INJUNCTION

Pursuant to the Memorandum and Order entered this date, and because it has been determined that defendant David Ostad violated the Lanham Act, [15 U.S.C. § 1117](#) *et seq.* by selling and offering to sell unauthorized products, pursuant to [Federal Rule of Civil Procedure 65](#),

IT IS HEREBY ORDERED that :

1. David Ostad and any employees, agents, servants, officers, representatives, directors, attorneys, successors, affiliates, assigns, any and all other entities owned or controlled by Ostad, and all of those in active concert and participation with Ostad (the “Enjoined Parties”), are permanently enjoined from:
 - A. Advertising or selling, via the internet or otherwise, all ZO Skin products;
 - B. Using the ZO Skin trademarks in any manner, including advertising on the Internet;
 - C. Importing, exporting, manufacturing, producing, distributing, circulating, selling, offering to sell, advertising, promoting, or displaying any and all ZO Skin products as well as any products

bearing the ZO Skin trademarks; and

- D. Disposing of, destroying, altering, moving, removing, concealing, or tampering with any records related to any products sold by the Enjoined Parties which contain the ZO Skin trademarks including: invoices, correspondence with vendors and distributors, bank records, account books, financial statements, purchase contracts, sales receipts, and any other records that would reflect the source of the products that Ostad has sold bearing this trademark.

2. The Enjoined Parties shall take action to:

- A. Remove from the Enjoined Parties' websites any reference to any ZO Skin products, or the ZO Skin trademarks;
- B. Request the removal from all Internet search engines (such as Google, Yahoo!, and Bing), and to remove from the Internet any uses of the ZO Skin trademarks which associate ZO Skin products or the ZO Skin trademarks with the Enjoined Parties or the Enjoined Parties' website; and
- C. Remove unauthorized uses of the ZO Skin trademarks from the Internet, including from the websites www.ebay.com and www.amazon.com, along with any other third-party online marketplaces that the Enjoined Parties may have utilized.

Dated this 22nd day of December, 2020.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge